



THE CITY OF NEW YORK
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December 21, 2017

BY ECF

Honorable Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Martinez v. City of New York, et al., No. 1:16-cv-00079-AMD-CLP

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants in the above-referenced matter. Defendants write with respect to plaintiff's letter motion for sanctions, which was filed earlier today. As plaintiff's counsel is aware, the undersigned will be away out of town on vacation starting later this afternoon until next Wednesday, December 27, 2017. However, defendants fully intend to respond to plaintiff's motion within the time period prescribed in Your Honor's Individual Motion Practices and Rules (i.e., within five business days – December 29, 2017) but, out of an abundance of caution, wanted to inform the Court of the undersigned's temporary unavailability.¹

Thank you for your consideration.

¹ As the Court is aware, a status conference is currently scheduled in this matter for January 3, 2017 at 2:30 p.m.

Respectfully,

/s/ **Kavin Thadani**

Kavin Thadani
Senior Counsel
Special Federal Litigation Division

cc: **BY ECF**
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Baree Fett, Esq.
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